

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: David LEWIS, et al.

SERIAL NO: 10/766,857

GAU:

FILED: January 30, 2004

EXAMINER:

PHARMACEUTICAL AEROSOL COMPOSITION CONTAINING HFA 227 AND HFA 134A

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

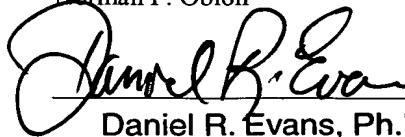
- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Daniel R. Evans, Ph.D.
Registration No. 55,868

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 248336US0DIV	SERIAL NO. 10/766,857	
O P 5 LIST OF REFERENCES CITED BY APPLICANT APR 3 0 2004 EXAMINER'S INITIALS PATENT & TRADEMARK OFFICE		APPLICANT David LEWIS, et al.				
		FILING DATE January 30, 2004		GROUP		
U.S. PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
AA	6,716,414	04-06-04	LEWIS et al.			
AB						
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						
AL						
AM						
AN						
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
AO				YES	NO	
AP						
AQ						
AR						
AS						
AT						
AU						
AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)						
AW						
AX						
AY						
AZ						<input type="checkbox"/> Additional References sheet(s) attached
Examiner					Date Considered	
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						



LIST OF RELATED CASES

<u>Docket Number</u>	<u>Serial or Patent Number</u>	<u>Filing or Issue Date</u>	<u>Inventor/ Applicant</u>
4158-0014-0 PCT	09/147,669	02/24/99	LEWIS, et al.
204233US0 CONT	09/796,607	03/02/01	LEWIS, et al.
208770US0	6,716,414	04/06/04	LEWIS, et al.
208858US0 PCT	09/831,888	07/19/01	LEWIS, et al.
226160US0 PCT	10/204,307	11/13/02	LEWIS, et al.
227923US0 DIV	10/244,519	09/17/02	LEWIS, et al.
229934US0 PCT	10/275,891	04/22/03	LEWIS, et al.
230402US0 CONT	10/290,225	11/08/02	LEWIS, et al.
237392US0 CONT	10/435,032	05/12/03	LEWIS, et al.
237398US0 CONT	10/435,354	05/12/03	LEWIS, et al.
239770US0 DIV	10/612,067	07/03/03	LEWIS, et al.
239775US0 DIV	10/612,072	07/03/03	LEWIS, et al.
241155US0 CONT	10/640,005	08/14/03	LEWIS, et al.
248336US0 DIV*	10/766,857	01/30/04	LEWIS, et al.

*Present Application; listed for information
NFO/wal/amr